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Attorneys for Defendant
HONEYWELL INTERNATIONAL, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEBORAH GETZ, individually and as a surviving
heir of decedent KRISTOFER D. S. THOMAS;
RODNEY THOMAS, individually and as a
surviving heir of decedent, KRISTOFER D. S
THOMAS; MARY DUFFMAN, individually and
as a surviving heir of decedent, SCOTT E.
DUFFMAN; SOPHIA DUFFMAN, a minor,
individually and as a surviving heir of decedent
SCOTT E. DUFFMAN, by and through her
Guardian ad Litem, MARY DUFFMAN;
CHRISTINE VAUGHN, individually and as a
surviving heir of decedent, TRAVIS R.
VAUGHN; BRAD VAUGHN, individually and as
a surviving heir of decedent, TRAVIS R.
VAUGHN; JILL GARBS, individually and as a
surviving heir of decedent RYAN GARBS;
DOUG GARBS, individually and as a surviving
heir of decedent, RYAN GARBS; JORDAN
LANHAM; JERRY GOLDSMITH; RYANNE
NOSS, individually and as spouse of SCOT
NOSS; TIMOTHY BRAUCH; CHRIS TRISKO,
MARK DANIEL HOUGHTON,

Plaintiffs,

v.

Case No. CV 07-6396 CW

**DECLARATION OF MARLIN
KRUSE IN SUPPORT OF
HONEYWELL INTERNATIONAL
INC'S MOTION TO DISMISS
PLAINTIFFS' COMPLAINT**

1 THE BOEING COMPANY, a corporation;
2 HONEYWELL INTERNATIONAL, INC., a
3 corporation; GOODRICH CORPORATION, a
4 corporation; BF GOODRICH AEROSPACE;
5 CHANDLER EVANS CONTROL SYSTEMS;
6 GENERAL ELECTRIC and DOES 1 through 200,
7 inclusive,

8 Defendants.

9 I, Marlin Kruse, declare as follows:

10 1. I am a Principal Engineer at Honeywell International Inc. ("Honeywell") in the
11 Product Integrity department. My work responsibilities include accident investigation, litigation
12 support, and corrective action oversight. I have worked at Honeywell for over ten years.
13 Statements made in this declaration are based on my personal knowledge, and I could and would
14 so testify if called as a witness in this matter.

15 2. I am the focal point person for the investigation activities at Honeywell involving a
16 Chinook MH-47E helicopter bearing tail number 92-00472 ("subject helicopter"), which crashed
17 in Afghanistan on or about February 17-18, 2007.

18 3. Honeywell manufactured the two T55-GA-714A engines, the engines installed on
19 the subject helicopter, in its engine manufacturing facility in Phoenix, Arizona.

20 4. The subject helicopter was operated by the U.S. Army 160th SOAR - Special
21 Operations Aviation Regiment (the "160th").

22 5. The 160th is a special operations force that provides aviation support for Special
23 Operations Forces. Due to the nature of the 160th's missions, neither the Army nor the 160th
24 would provide information to me on the exact nature of the missions undertaken by the 160th.

25 6. Honeywell has provided technical support to the 160th for their investigation of the
26 subject helicopter crash. I understand that there have been investigation related activities at the
27 following U.S. Army installations: Fort Campbell, Kentucky (home of the 160th), Fort Rucker,
28 Alabama (location of the U.S. Army Combat Readiness Center, the U.S. Army's principal
aviation accident investigating authority), Redstone, Alabama (AMCOM), and the Corpus Christi
Army Depot, Texas.

1 7. After the subject helicopter crashed, the 160th was able to recover the engines
2 installed on the aircraft. The engines and other component parts were transported to Fort
3 Campbell, Kentucky. Once they were sent to Fort Campbell, Kentucky, the engines and the
4 engine components were under the control of the 160th.

5 8. Engine control system components were also transported back to the United
6 States. I was told by investigators from the 160th that the aircraft was demolished by explosives
7 into manageable pieces for storage purposes.

8 9. As the focal point for Honeywell's support of the 160th's investigation of the
9 mishap, I was invited to participate in the teardown of the engines at Fort Campbell, Kentucky on
10 August 7-8, 2007. Honeywell offered to conduct the teardown at their facilities in Phoenix,
11 Arizona, but the offer was declined by the 160th.

12 10. I traveled to Fort Campbell, Kentucky for the teardown investigation of the
13 engines of the subject helicopter.

14 11. The teardown investigation was conducted under the direction of the 160th.

15 12. During the teardown of the engines, one of the 160th investigators informed me
16 that a grenade had been thrown down the tail pipe and into the turbine section of the number two
17 engine in Afghanistan.

18 13. Upon my review of the engine, I was able to see the damage from the grenade
19 impact to the number two engine.

20 14. The following are photographs I took of the number two engine that illustrate the
21 grenade damage to the number two engine.

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Figure 11. #2 Engine Power Turbine Section, Serial Number 06PGA00888.



Figure 12. #2 Engine Power Turbine Section.

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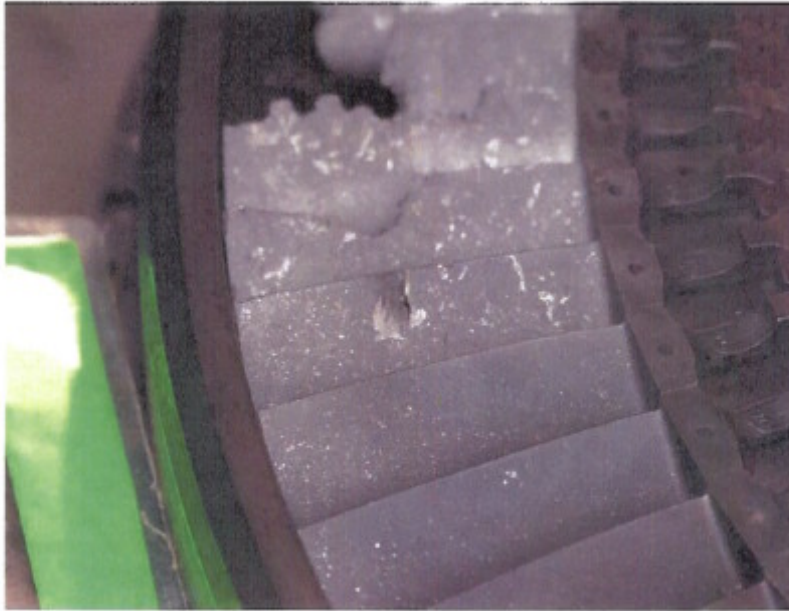


Figure 24. Second-Stage Gas Generator Turbine Rotor.

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1 15. While the physical teardown of the engine took place in Fort Campbell, Kentucky,
2 most of the Honeywell engineers who are supporting me in analyzing the data gathered from the
3 investigation of the incident, including the teardown of the engines, are located in Phoenix,
4 Arizona.

5 I declare under penalty of perjury under the laws of the United States of America that the
6 foregoing is true and correct, and that I executed this declaration on December 17, 2007 at
7 Phoenix, Arizona.

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10 Marlin Kruse
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CERTIFICATE OF SERVICE

I, James W. Huston, hereby certify that on April 29, 2008, I caused to be electronically filed a true and correct copy of the attached **DECLARATION OF MARLIN KRUSE IN SUPPORT OF HONEYWELL INTERNATIONAL INC'S MOTION TO DISMISS PLAINTIFFS' COMPLAINT** with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record for Plaintiffs:

Ronald A. McIntire, Esq. Chung H. Han, Esq. PERKINS COIE LLP 1620 26 th Street, Sixth Floor, South Tower Santa Monica, CA 90404-4013	Telephone: 310.788.9900 Facsimile: 310.788.3399 <i>Attorneys for Defendant The Boeing Company</i>
Thomas J. Brandi, Esq. Daniel Del'Osso, Esq. Brian J. Malloy, Esq. THE BRANDI LAW FIRM 354 Pine Street, Third Floor San Francisco, CA 94104	Telephone: 415.989.1800 Facsimile: 415.989.1801 <i>Attorneys for Plaintiffs</i>
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I also served the following party by overnight mail [Fed. Rule Civ. Proc. rule 5(b)] by placing a true copy thereof enclosed in a sealed envelope with delivery fees provided for, addressed as follows, for collection by UPS, at 12531 High Bluff Drive, Suite 100, San Diego, California, 92130-2040 in accordance with Morrison & Foerster LLP's ordinary business practices.

I am readily familiar with Morrison & Foerster LLP's practice for collection and processing of correspondence for overnight delivery and know that in the ordinary course of Morrison & Foerster LLP's business practice the document(s) described above will be deposited in a box or other facility regularly maintained by UPS or delivered to an authorized courier or driver authorized by UPS to receive documents on the same date that it (they) is are placed at Morrison & Foerster LLP for collection.

1 2 3 4	Steve Bell, Esq. Beth M. Strosky, Esq. PERKINS COIE LLP 1201 Third Avenue, Suite 4800 Seattle, WA 98101	Telephone: 206.359.8000 Facsimile: 206.359.9000 <i>Attorneys for Defendant The Boeing Company</i>
5 6 7	Richard Chon, Esq. PERKINS COIE LLP 1620 26 th Street, Sixth Floor South Tower Santa Monica, CA 90404-4013	Telephone: 310.788.9900 Facsimile: 310.788.3399 <i>Attorneys for Defendant The Boeing Company</i>
8 9 10	Casey A. Kaufman, Esq. THE BRANDI LAW FIRM 354 Pine Street, 3 rd Floor San Francisco, CA 94104	Telephone: 415.989.1800 Facsimile: 415.989.1801 <i>Attorneys for Plaintiffs</i>

11 Executed at San Diego, California, on this 29th day of April, 2008.

12 MORRISON & FOERSTER LLP

13 By: /s/ James W. Huston

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